

SF/AR

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue  
Seattle, Washington 98101

ACTION MEMORANDUM FOR REMOVAL ACTIONS WITH COST CEILING  
OF LESS THAN \$200,000

FINDINGS OF IMMINENT AND SUBSTANTIAL ENDANGERMENT  
Shades of Seattle Paint Company, Various Locations in Western  
Washington.

Based on the factors listed below, I have determined that an imminent and substantial endangerment to the public health or welfare, and or the environment exists because of an actual or threatened release of a hazardous substance at or from the dump sites created by Shades of Seattle

I. SITE INFORMATION

Site Name: Shades of Seattle Paint Company

Site Number: 6P

Site Location: Various Locations in Western Washington,  
primarily in King and Snohomish Counties.

Potential Responsible Party

Name: Shades of Seattle Paint Company  
Address:

Access is unrestricted.

NPL Status: Not on the NPL

Removal Starting date: September 10, 1999

II. THREAT TO THE PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

A. Site Background:

The Shades of Seattle Paint Company Sites consists of a number of dumping locations. The majority of the dumping have been in the King and Snohomish county areas of western Washington State. The site have contained primarily 20 to 60 five gallon containers of waste paints and solvents. Many of the containers contents have had flash points below ambient temperatures. The paint containers have been dumped or placed in a haphazard manner and have occasionally been damaged allowing the contents of some of the containers to leak. Some of the locations have been adjacent to residential and retail buildings. The majority of the dumping locations have been located in areas which are more isolated.

The EPA Region 10 CID personnel were able to identify the Responsible party. Prior to the RP being identified The US EPA Emergency

USEPA SF



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Response Unit and the WA DOE have both responded to and conducted minor containment at 4 dumping locations.

There may be up to another 15 dumping locations. At this time not all of the locations have been identified. Some general descriptions of some locations have been received through interview conducted by CID.

#### B. Hazardous Substances Present

Waste paint and paint thinners are the primary materials present at the dump locations. All of the past locations have contained the same types of waste and packing materials. All locations previously addressed have had high readings of explosive limits near the containers. Samples from each location have tested positive for RCRA ignitability. The Flash point of many of the samples has been below the ambient temperature.

C. Nature of Actual or Threatened Release of Hazardous Substances The dump locations are in uncontrolled areas and are not secured from intrusion from the general public. The waste materials may contribute to injury from individuals who may discover the sites and investigate the container contents. The materials are flammable and can contribute to the risk of fire and explosion. The containers have been placed in a careless manner and may leak over time and cause the possible contamination of the surrounding soil, groundwater, and surface water.

Applicable factors (from 40 CFR 300.415) which were considered in determining the appropriateness of a removal action:

- Actual or potential exposure to nearby human populations, animals or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)].
- Actual or potential contamination of a drinking water supply or sensitive ecosystems [300.415(b)(2)(ii)].
- Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415(b)(2)(iii)].
- Threat of fire or explosion [300.415(b)(2)(v)].

The PRP is under criminal investigation, and is not being given the opportunity to conduct removal activities.

State of Washington Department of Ecology has asked EPA to handle this effort because of insufficient state resources.

### III. SELECTED REMOVAL ACTION

Removal will be conducted at each identified location as they are discovered and assessed for risk. The containers will be over-packed if necessary, possibly bulked and transported off site for disposal. Contaminated soil if present will also be removed if necessary.

### IV. ESTIMATED COSTS

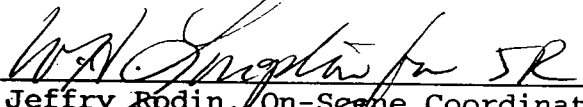
ERRS Costs	\$
START	\$40,000
Other extramural costs	\$10,000
Contingency costs	\$ 7,500
Subtotal, extramural costs	\$57,500

#### Intramural Costs

Direct	\$15,000
Indirect	\$ 5,000

Total, Removal Project Ceiling                      \$77,000

Conditions at this site meet the NCP section 300.415(b)(2) criteria for a removal action. The finding of imminent endangerment has been entered into the administrative record for this site or incident.

  
Prepared by Jeffry Rodin, On-Scene Coordinator

Concurrence By   
Chris Field, Unit manager

#### APPROVAL

 9/16/99  
(signature) Date

Michelle Prizadeh  
Acting Associate Director, Office Of Environmental Cleanup